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410 Rec'd PCT/PTO 11 MAY 2000

FORM PTO-1390
REV. 5-93US DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTORNEYS DOCKET NUMBER
P00,0365**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**U.S. APPLICATION NO. (if known, see 37 CFR 1.51)
09/486908
09/486,908INTERNATIONAL APPLICATION NO.
PCT/DE99/02009INTERNATIONAL FILING DATE
01 JULY 1999PRIORITY DATE CLAIMED
03 JULY 1998

TITLE OF INVENTION

"DATA STORAGE DEVICE"

APPLICANT(S) FOR DO/EO/US

STEFAN PFAB

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay.
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of International Application as filed (35 U.S.C. 371(c)(2)) - drawings attached.
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)) - drawings attached.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; (PTO 1449, Prior Art, Search Report).
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
(SEE ATTACHED ENVELOPE)
13. ☐ Amendment "A" Prior to Action.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - a. ☒ Response to Notification of Missing Requirements
 - b. ☒ EXPRESS MAIL #EL 568799004US dated May 11, 2000

05/18/2000 PVULPE 00000030 09486908

01 FC:154

130.00 OP

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)
09/486,908

INTERNATIONAL APPLICATION NO.
PCT/DE99/02009

ATTORNEY'S DOCKET NUMBER
P00,0365

17. ☒ The following fees are submitted:

CALCULATIONS

PTO USE ONLY

BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):

Search Report has been prepared by the EPO or JPO \$840.00

International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) .. \$670.00

No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but
international search fee paid to USPTO (37 C.F.R. 1.445(a)(2)) \$760.00

Neither international preliminary examination fee (37 C.F.R. 1.482) nor international
search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO \$970.00

International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all
claims satisfied provisions of PCT Article 33(2)-(4) \$ 96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months
from the earliest claimed priority date (37 C.F.R. 1.492(e)).

\$

Claims	Number Filed	Number Extra	Rate
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Total Claims	15 - 20 =	0	X \$ 18.00
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\$

Independent Claims	02 - 3 =	0	X \$ 78.00
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\$

Multiple Dependent Claims			\$260.00 +
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\$

TOTAL OF ABOVE CALCULATIONS =

\$

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also
be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28)

\$

SUBTOTAL =

\$

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☒ 30 months
from the earliest claimed priority date (37 CFR 1.492(f)).

\$130.00

+

TOTAL NATIONAL FEE =

\$ 130.00

Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be
accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property

+

TOTAL FEES ENCLOSED =

\$ 130.00

Amount to be
refunded

\$

charged

\$

- a. ☒ A check in the amount of \$ 130.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 08-2290. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be
filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Hill & Simpson
A Professional Corporation
85th Floor Sears Tower
Chicago, Illinois 60606

SIGNATURE

Steven H. Noll

NAME

28,982

Registration Number



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO. 09/486,918	PFAB	FIRST NAMED APPLICANT S	ATTY. DOCKET NO. P00,0365
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HILL & SIMPSON
85TH FLOOR SEARS TOWER
CHICAGO IL 60606

5611

INTERNATIONAL APPLICATION NO.

PCT/DE99/02009

I.A. FILING DATE

PRIORITY DATE

07/01/99

07/03/98

DATE MAILED: 05/02/00

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☒ a Designated Office (37 CFR 1.494),
☐ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☒ a non-English language.

☐ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 03 MAR 2000 and

☒ Information Disclosure Statement(s) filed 03 MAR 2000 and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☐ Copy of the International Search Report ☒ and copies of the references cited therein.

☒ Other Certificate of Express Filing; Formal Drawings (2 sheets)

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed: ☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Francine Young
National Stage Processing
Paralegal Specialist
(703) 305-3662

COPY

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number EL 568799004US

Date of Deposit: May 11, 2000

I hereby certify that this CORRESPONDENCE IS BEING DEPOSITED WITH THE United States Postal "Express Mail Post Office To Addressee" SERVICE UNDER 37 CFR 1.10(c) on the date indicated above and is addressed to:

**BOX PCT
Assistant Commissioner for Patents
Washington, D. C. 20231**

Case Number: P00,0365

International Application No. PCT/DE99/02009
International Filing Date 01 July 1999

Priority Date Claimed
03 July 1998

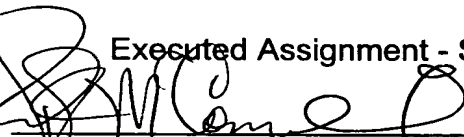
Title: "DATA STORAGE DEVICE"

Applicant: Stefan Pfab

Enclosed are the following documents:

PTO 1390 in duplicate;
Form PCT/DO/EO/905
Executed Declaration
Fee \$130.00
Postcard

Executed Assignment - Separate Envelope w/postcard, PTO 1595, \$40.00 fee.



Signature of person mailing documents and fees